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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Malabarba et al

Atty. Ref.: 3687-210; Confirmation No. 3049

Appl. No. 10/518,802

TC/A.U. 1617

Filed: August 8, 2005

Examiner: Carter

For: USE OF AMIDE DERIVATIVE OF GE 2270 FACTOR A3 FOR THE TREATMENT OF ACNE

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March 17, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO REQUIREMENT FOR RESTRICTION

Responsive to the Official Action of February 23, 2009 and the requirement for restriction presented in it, applicant elects the subject matter of Group I, claims 33, 47 and 48, directed to medical products. This response is made with traverse to the extent that the non-elected method claims should be rejoined once the product claims are allowed.


Please examine the elected claims on the merits taking into account the documents cited in the International Search Report in the underlying PCT application and the Information Disclosure Statement filed April 18, 2005.

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March 17, 2009

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


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